IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.736 OF 2004
IN
SUIT NO. 920 OF 2004

Armex India (P) Ltd. . ..Plaintiffs

Vs.

Burton International ..Defendants

Mr.Abhaykumar Apte i/b Dhanashree Bidkar for the plaintiffs

None for the defendants

CORAM : S.U.KAMDAR, J
DATED : 3RD OCTOBER, 2005

P.C.:

1. The present suit is filed for the recovery of amount in respect of freight charges under various invoices. It is the case of the plaintiffs that in view of transportation services undertaken by the plaintiffs, the defendants is entitled to recover the said amount which is at Ex.A to the pliant. In respect thereof, Summons for Judgment is taken out. The same is duly served. Inspite of the same, none appeared for the defendants. However, by my order dt.27.9.05 I directed advocate for the plaintiffs to give notice to the advocate

for the defendants he has refused to accept the service and directed that it should be served on other advocate who has filed Vakalatnama.

2. The learned counsel has filed affidavit of service dt.26.9.05 in respect thereof. Thereafter other advocate was also served. Inspite of service, none appeared. There is no defence in the present suit. The learned counsel has filed affidavit seeking leave to defend dt.16.10.2004. On perusal of the said affidavit, I do not find any merits in the said defence. In view thereof, Summons for Judgment is made absolute. Suit is decreed. Suit as well as summons for judgment disposed of accordingly. Refund of court fee as per rules.